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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,464	04/30/2001	Kyung-Sik Kim	300055.489	4617
500	7590	12/27/2005	EXAMINER	
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC			HOM, SHICK C	
701 FIFTH AVE			ART UNIT	
SUITE 6300			PAPER NUMBER	
SEATTLE, WA 98104-7092			2666	

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/846,464

Applicant(s)

KIM ET AL.

Examiner

Shick C. Hom

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/2/05 has been entered.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Objections***

3. Claim 5 is objected to because of the following informalities: In claim 5 line 1, the words "a mobile IP" seem to refer back to the "mobile IP" recited in claim 1 line 5. If this is true, it is suggested changing "a mobile IP" to ---the mobile IP---. In claim 5 line 2, spell out acronym AAA, i.e. delete "AAA" and insert ---authentication, authorization and

Art Unit: 2666

accounting AAA---, for clarity. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. Claims 3-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 3-4 lines 2-3 which recite a same frequency handoff and a different frequency handoff is not clear as to same and different from what frequency handoff, since no frequency handoff have been previously recited in the claims the limitation is not clearly understood.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United

Art Unit: 2666

States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Verma et al. (6,522,880).

Regarding claim 1:

Verma et al. disclose a hard handoff method for making a mobile client continuously receive internet services by carrying out a hard handoff (see abstract which recite the method handing off a communication stream between a mobile node and a communication endpoint from a first connection initiator to a second connection initiator while maintaining call state for the communication stream), comprising the steps of: carrying out a handoff procedure with a target radio network upon encountering a hard handoff situation in the mobile client; carrying out a mobile IP registration procedure for the mobile client and for the target packet data service node of the target radio network without closing the current traffic links; and comprising transmitting an agent advertisement message to the mobile client, and the mobile client transmitting an agent solicitation to the target packet data service node; and shifting a traffic channel of the mobile client to the target packet data service

Art Unit: 2666

node from a current packet data service node after setting all links (see the background of the invention col. 1 line 51 to col. 2 line 5 which recite the mobile node transmitting the agent solicitation message to the gateway routers and also listens for the agent advertisement messages from the gateway routers including the step of registering with the gateway router when the mobile node roams and col. 2 lines 43-54 which recite the mobile IP).

Regarding claim 2:

Yerma et al. disclose wherein the mobile client carries out a setting of independent multiple Point-to-Point Protocol (PPP) links and their control functions (see col. 3 lines 31-49 which recite the use of Point-to-Point Protocol PPP links and session).

Regarding claims 3-4:

Yerma et al. disclose wherein in setting the multiple PPP links, a channel allocation is carried out in a same frequency handoff and a different frequency handoff (see col. 1 lines 41-50 which recite the possibility of using of other communication protocols for connections clearly reads on using different frequency handoff).

Regarding claims 5-7:

Yerma et al. disclose transmitting a registration request to an AAA server and receiving a mobile IP registration relay from the AAA server wherein the registration request is transmitted by the target packet data service node and reply is received at the target packet data service node; wherein the target service node transmits confirmation of the mobile IP registration relay to the mobile client (see Fig. 1, the AAA server 80 and col. 2 line 55 to col. 3 line 16 which recite transmitting the registration request and receiving the reply from the AAA server).

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Frid et al. disclose communicating packet data with a mobile station roaming within an incompatible mobile network.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C. Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.

Art Unit: 2666

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH

A handwritten signature in black ink, appearing to read 'Dang Ton', with a stylized flourish at the end.

**DANG TON**  
**PRIMARY EXAMINER**